

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Dan Aharoni, et al	GROUP ART UNIT:	Not Yet Assigned
U.S.S.N.:	Not Yet Assigned	EXAMINER:	Not Yet Assigned
FILING DATE:	Not Yet Assigned	CUSTOMER NO.	24227
TITLE:	SYSTEM AND METHOD FOR SIMULATING PERFORMANCE OF ONE OR MORE DATA STORAGE SYSTEMS WITH UTILIZATION INPUT		

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Date: February 25, 2004

By: Sandra A. Kulaga

Print Name: Sandra A. Kulaga

UTILITY PATENT APPLICATION TRANSMITTAL

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is a patent application entitled:

**SYSTEM AND METHOD FOR SIMULATING PERFORMANCE OF ONE
OR MORE DATA STORAGE SYSTEMS WITH UTILIZATION INPUT**

**This application is a Continuation-in-Part of prior application serial number
10/259,011, filed on September 27, 2002.**

Named Inventor(s) / Inventor Address(es) / Inventor Citizenship(s):

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Enclosed is/are:

- [X] Transmittal Letter (this form, 4 Pages, IN DUPLICATE) Total Pages 8;
- [X] Utility Patent Application Specification including Title of the Invention, Background of the Invention, Summary of the Invention, Brief Description of the Drawings, Detailed Description, 21 Claims (3 Independent, 18 dependent), Abstract of the Disclosure, Total Pages: 37;
- [X] Drawings: [X] Formal, [] Informal (Figs: 22), Total Sheets: 20;
- [] Newly Executed Oath/Declaration/Power Of Attorney, Total Pages: ;
- [] Assignment Papers (Assignment Recordation Cover Sheet 1 page, Copy of Assignment Document pages), Total Pages: ;
- [X] Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i);
- [X] Return Receipt Postage Pre-paid Postcard;
- [X] Authorization to charge deposit account, with fee amounts calculated as follows:

CLAIMS	Number Filed	Number Extra	Rate	Calculations
Total Claims	21 - 20 =	1	x \$18	18.00
Independent Claims	3 - 3 =	0	x \$80	0.00
Multiple Independent Claims			+ 270 =	0.00
BASIC FILING FEE =				\$ 770.00
Total of Above Calculations =				\$ 788.00
Assignment Recordation Fee =				0.00
TOTAL FEE FOR THIS PATENT APPLICATION =				<u>\$ 788.00</u>

Please direct all telephone calls and address all correspondence to:

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Please charge any fees associated with this transaction to Deposit Account No. 05-0889.

If the enclosed papers or fees are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (508) 293-6985, in Hopkinton, Massachusetts.

CUSTOMER NO. 24227

Respectfully submitted,

Dated: February 25, 2004

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Dan Aharoni, et al

Title

System and Method for Simulating ...

Attorney Docket Number

EMC-02-132CIP1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 25, 2004
Date

Robert Kevin Perkins
Signature

(508) 293-6985

Telephone number

Robert Kevin Perkins (Reg. No. 36,634)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.